



A stylized map of the state of Florida is positioned on the right side of the slide, partially overlapping a dark horizontal bar. The map is light gray with a darker gray outline.


Bocilla Seaport Marina October 11, 2007


Robert M. Brown, Director
Environmental Resource Regulation




 APPLICATION: 061023-1


 CERP STUDY AREA

 ROADS

 COUNTY LINES




Map made by: Lynn J. Cox
Environmental Resource Regulation
Map Date: September 11, 2007
Imagery: 2004-2005 DOQQ, Natural Color

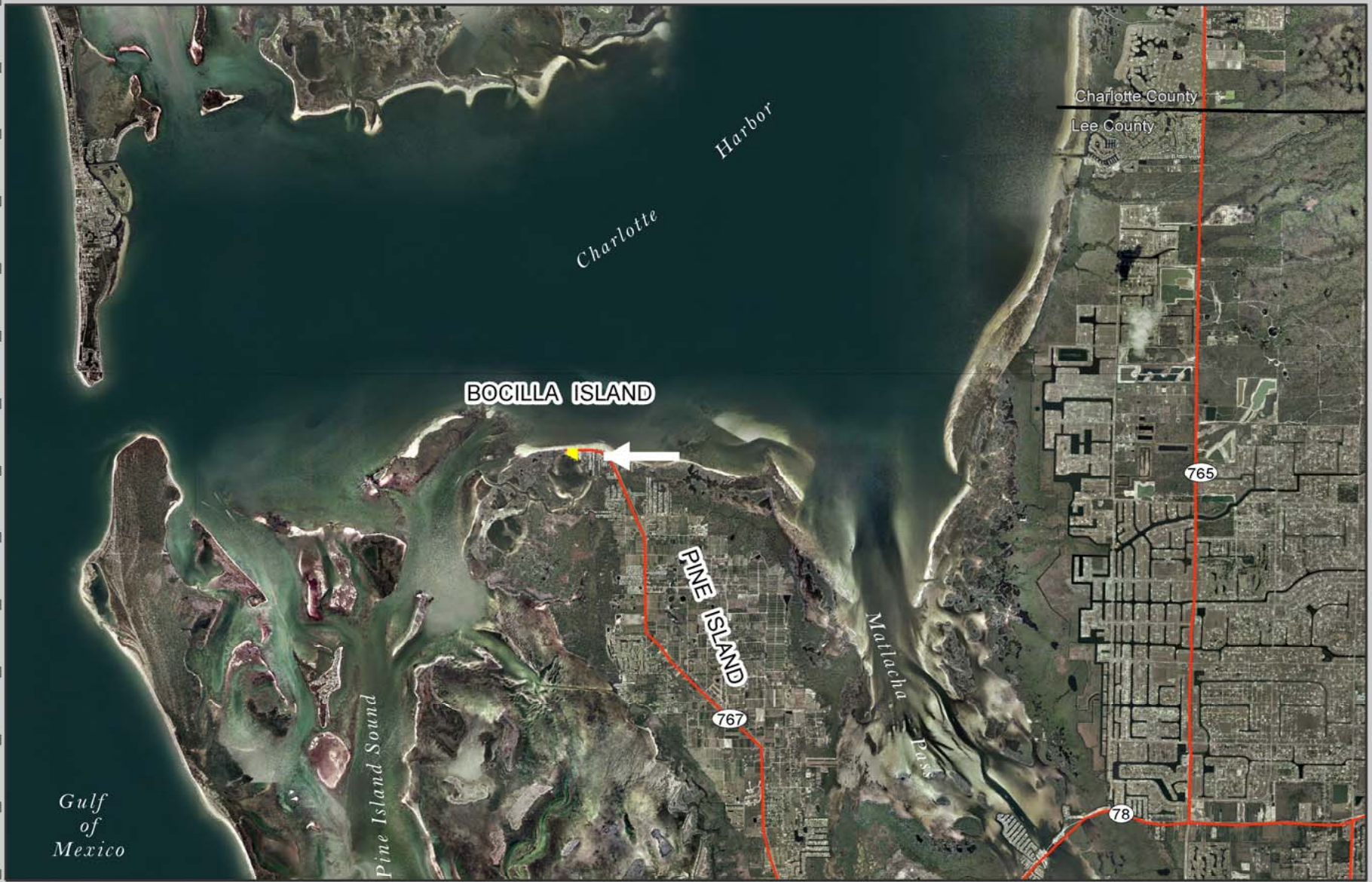


Bocilla Seaport Marina

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0.51 2 3 Miles



APPLICATION: 061023-1
ROADS
COUNTY LINES

Bocilla Seaport Marina



Map made by: Lynn J. Cox
Environmental Resource Regulation
Map Date: September 11, 2007
Imagery: 2006, AIREXPRESS, 2ft



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APPLICATION: 061023-1
ROADS

Bocilla Seaport Marina





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 ROADS

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Bocilla Seaport Marina – Project History

- **May 5, 2006** – District issued an ERP for construction and operation of a surface water management system serving 8.04 acres for a project known as Bokeelia Harbor Resort.
 - Proposed project consisted of mixed residential and commercial development located on uplands. Site had been previously used as a mobile home park with a commercial marina.
- **October 23, 2006** – Permittee submitted application requesting authorization for construction and operation of a 74 slip marina within the Charlotte Harbor Aquatic Preserve (43 slips proposed for Back Bay and 31 slips proposed for Charlotte Harbor).



Bocilla Seaport Marina – Chronology

- **October 23, 2006** - Application Received.
- **Request for Additional Information letters sent:**
 - November 22, 2006
 - March 22, 2007
 - June 29, 2007
- **July 27, 2007** - Response received from Applicant.
- **August 24, 2007** - Based on the July 27, 2007 response, applicant was notified by letter that staff would be recommending denial of application.

Basis for Denial: Environmental Resource Permit Criteria

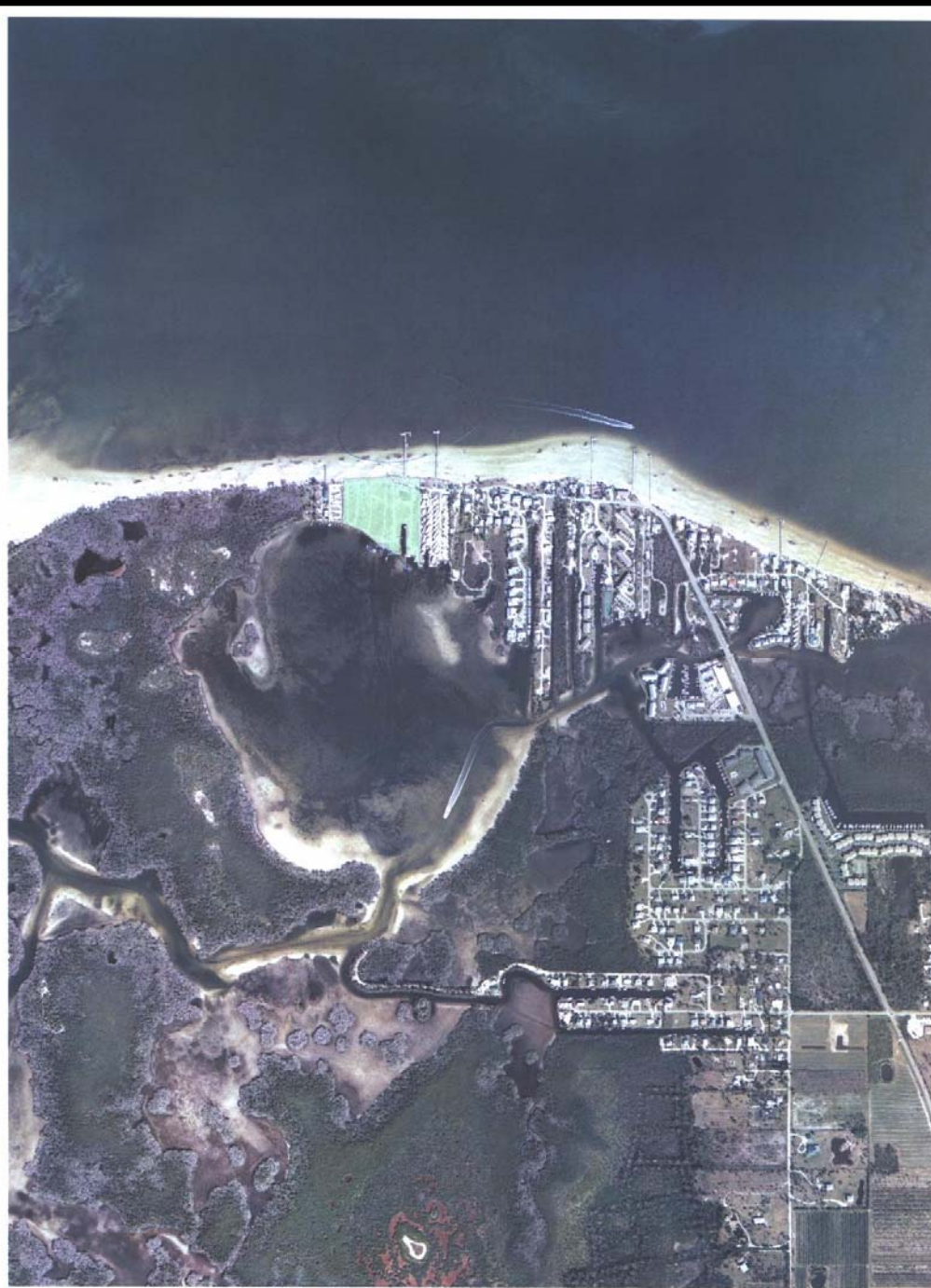


- Sufficient information to satisfy Section 3.2 of the District's Basis of Review was not satisfied.
- The applicant did not provide specific details as to whether they would be constructing an on-site package plant or connecting to the central sewer system.
- Furthermore, the applicant did not identify potential secondary impacts associated with either option (i.e., wetland impacts and required easements).

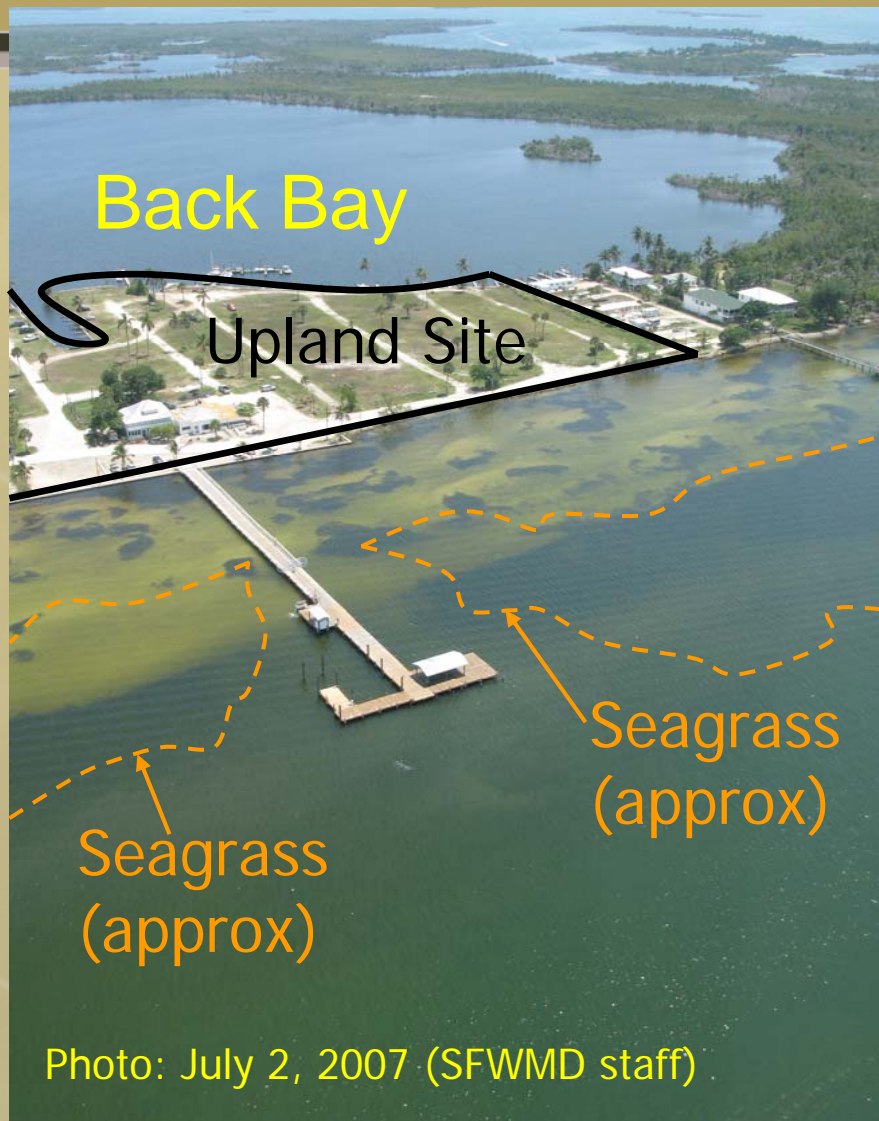
Basis for Denial: Environmental Resource Permit Criteria



- **Extent of seagrasses not fully delineated.**
- **Operation of marina would potentially impact seagrasses (proximity of slips to known seagrasses).**
- **Unlimited vessel size in Charlotte Harbor.**
- **Insufficient water depth in Jug Creek (Channel to Back Bay).**
- **Must be clearly in the public interest.**



Bocilla Seaport Marina

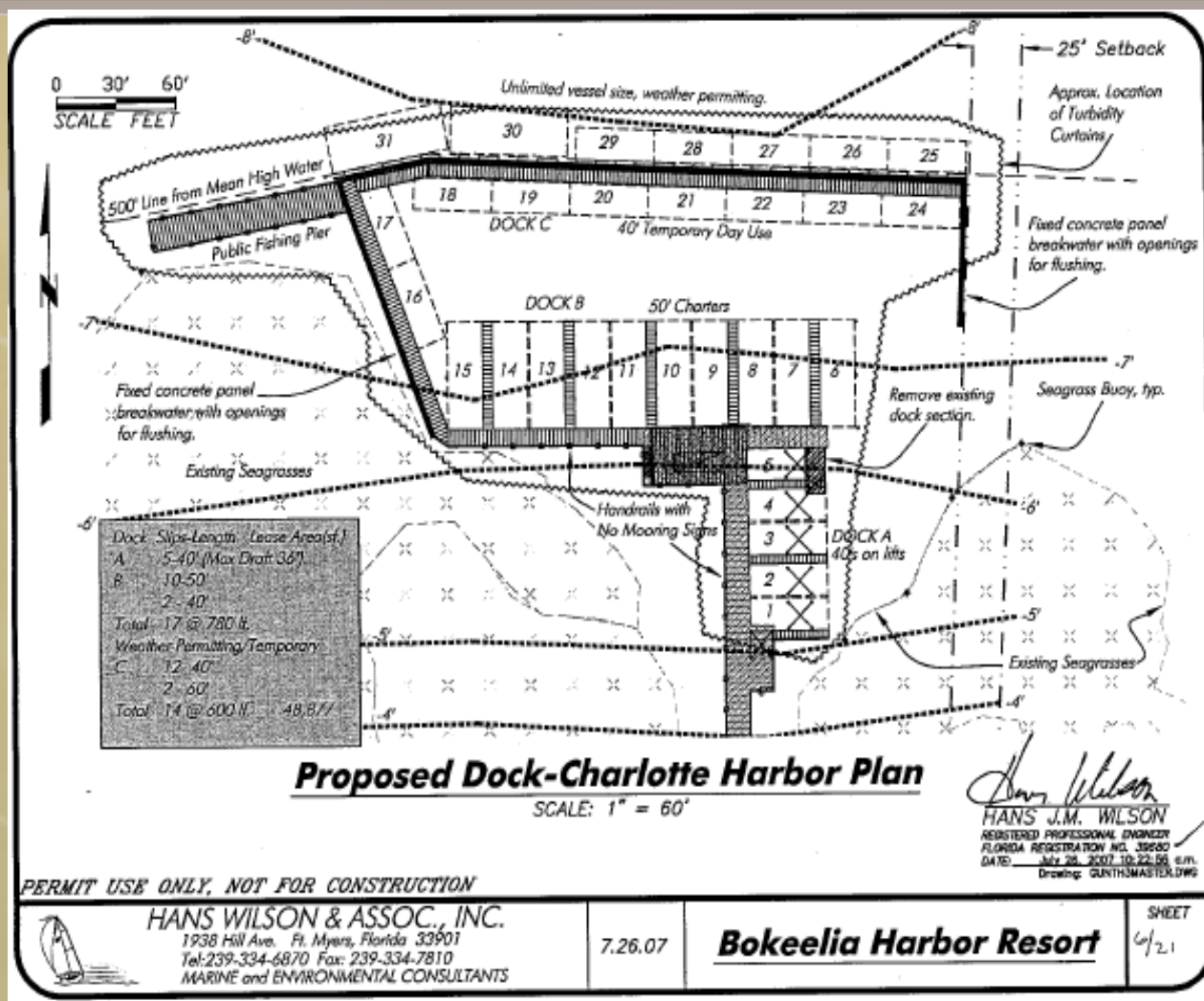


Basis for Denial: Sovereign Submerged Lands Criteria



- Mooring areas extend beyond 500 feet from mean high water line.
- Facility may result in impacts to seagrasses.
- Must be in the public interest.

Charlotte Harbor Plan





Recommendation:

Staff recommends that the Governing Board issue a consolidated intent to deny for Environmental Resource Permit Application Number 061023-1 and concurrent request for proprietary authorization to use sovereign submerged lands for a project known as Bocilla Seaport Marina in Lee County. The applicant has not provided reasonable assurance that the project meets (1) the permitting requirements in Section 40E-4.301 and 40E-4.302, F.A.C., and Sections 3.2 and 4 of the Basis of Review; (2) the additional criteria for activities in surface waters and wetlands in Section 373.414, F.S.; (3) the water quality criteria in Chapters 62-4 and 62-340, F.A.C; and (4) the criteria for sovereign submerged lands in Chapters 18-20 and 18-21.

Bocilla Seaport Marina



- Approximately six (6) package plants in general vicinity of project.
- Nearest existing connection is approximately eight (8) miles to the south.
- Lee County Staff estimated timeframe for extension of wastewater service to this project to be eight (8) to ten (10) years.
- Potable water exists and is provided by Greater Pine Island Water Association.



Recommended Revisions

- Demonstrate ability, authority, and specific timeframe for construction of wastewater line – must be implemented prior to construction
- Remove slips & mooring facilities > 500' from shore
- Avoid seagrass impacts
- Restrict boat drafts in shallow areas
- Document additional public benefits
- Provide complete turbidity control plan

The State Lands ERP (SLERP) Process

